IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1660 of 2007()

AGAINST THE ORDER IN BA.1371/2007 Dated 07/03/2007
CRIME NO.24/2007 OF AMBALAVAYAL POLICE STATION

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: PETITIONERS/ACCUSED 1, 2 & 3

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1. VELAYUDHAN, S/O.ACHUTHAN, AGED 50,
KIZHAKKEKUNNEL VEEDU, KOLERI, POOTHADI
AMSOM DESOM, S.BATHERY, WAYANAD DISTRICT.

2. BINOY, S/O.SADASIVAN, AGED 32,
CHILAMBUMKUNNEL VEEDU, KOLERI, POOTHADI
AMSOM DESOM, S.BATHERY, WAYANAD DISTRICT.

3. SUBRAMANIAN, S/O.RAGHAVAN, AGED 42,
PANGIL VEEDU, KOLERI, NADAVAYAL, S.BATHERY,
WAYANAD DISTRICT.

BY ADV. SRI.N.J.ANTONY

RESPONDENTS: COMPLAINANT/STATE

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1. SUB INSPECTOR OF POLICE, AMBALAVAYAL.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1660/2007

Dated this 20th day of March, 2007

O R D E R

The petitioners who are accused Nos. 1 to 3 in Crime No.24/2007 of Ambalavayal Police Station for an offence punishable under Section 55(a) of the Abkari Act for allegedly transporting in a jeep 140 litres of toddy mixed with spirit without licence on 2.2.2007 and who were arrested on the same day, seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offence and the other circumstances of the case, I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Sulthan Bathery and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the police.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. The petitioners shall not commit any offence while on bail.

4. If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs